

111TH CONGRESS
2^D SESSION

H. R. 4887

IN THE SENATE OF THE UNITED STATES

MARCH 22 (legislative day, MARCH 19), 2010

Received; read twice and referred to the Committee on Finance

AN ACT

To amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “TRICARE Affirmation
3 Act”.

4 **SEC. 2. TREATMENT OF DEPARTMENT OF DEFENSE**
5 **HEALTH COVERAGE AS MINIMAL ESSENTIAL**
6 **COVERAGE.**

7 (a) IN GENERAL.—Section 5000A(f)(1)(A) of the In-
8 ternal Revenue Code of 1986, as added by section 1501(b)
9 of the Patient Protection and Affordable Care Act, is
10 amended—

11 (1) by striking clause (iv) and inserting the fol-
12 lowing new clause:

13 “(iv) medical coverage under chapter
14 55 of title 10, United States Code, includ-
15 ing coverage under the TRICARE pro-
16 gram;”;

17 (2) by striking “or” at the end of clause (v);

18 (3) by striking the period at the end of clause
19 (vi) and inserting “; or”; and

20 (4) by inserting after clause (vi) the following
21 new clause:

22 “(vii) the Nonappropriated Fund
23 Health Benefits Program of the Depart-
24 ment of Defense, established under section
25 349 of the National Defense Authorization

1 Act for Fiscal Year 1995 (Public Law
2 103–337; 10 U.S.C. 1587 note).”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect as if included in section
5 1501(b) of the Patient Protection and Affordable Care Act
6 and shall be executed immediately after the amendments
7 made by such section 1501(b).

Passed the House of Representatives March 20,
2010.

Attest: LORRAINE C. MILLER,
Clerk.